UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

GREAT AMERICAN INSURANCE : CASE NO. 1:18-cv-00213-TSB

COMPANY :

: (Judge Timothy S. Black)

Plaintiff : (Magistrate Karen L. Litkovitz)

:

vs. : JOINT REPORT ON MEDIATION

EFFORTS

GEMMA POWER SYSTEMS, LLC, et al.

:

Defendants. :

The parties, through counsel, provide the following Joint Report which has been reviewed with our respective clients.

Counsel for the parties convened a meet and confer call within seven days of the Court's directive to re-engage in mediation efforts. In that call, counsel agreed that the parties could engage in further negotiations client-to-client.

Further, counsel agreed that the Kramig Entities should provide an initial demand since the renewed negotiations involve more parties than participated in the prior mediation. Kramig provided the initial demand to commence negotiations. Thereafter, the parties convened a call without counsel, which occurred on November 9.

The parties have reported to their respective counsel that they attempted to resolve their respective claims, but the numbers set to the demands and counterclaims are so far apart that, at this time, the parties are at impasse.

Counsel represent that they remain open to further negotiations once the court rules on the pending Motions.

Respectfully submitted,

/s/ James D. Houston

James D. Houston (0072794) ULMER & BERNE LLP 600 Vine Street, Suite 2800 Cincinnati, Ohio 45202 jhouston@ulmer.com

and

/s/ David C. Olson

David C. Olson (0005597)

FROST BROWN & TODD

301 East Fourth Street

3300 Great American Tower

Cincinnati, Ohio 45202

dolson@fbtlaw.com

Counsel for Plaintiff

Great American Insurance Company

/s/ Gregory D. Brunton

Gregory D. Brunton (0061722)

GORDON REES SCULLY MANSUKHANI, LLP

41 South High Street, Suite 2495

Columbus, OH 43215

gbrnton@grsm.com

Counsel for Defendant

Gemma Power Systems, LLC

/s/ C.J. Schmidt, III

C.J. Schmidt, III (0034030)

Jeffrey R. Teeters (0061801)

WOOD & LAMPING LLP

600 Vine Street, Suite 2500

Cincinnati, OH 45202

cjschmidt@woodlamping.com

jrteeters@woodlamping.com

Counsel for Intervening Plaintiffs

Kramig Industrial, Inc., Kramig, Inc., R.E. Kramig & Co., Inc., Kramig Corp., Diversified Industrial Capital

Group, Inc. and South Wayne, LLC